



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Confirmation **7673**

No.:

Allowed: **November 19, 2009**

**TOTAKA et al**

Atty. Ref.: **723-1505**

Serial No. **10/825,200**

Group: **3714**

Filed: **April 16, 2004**

Examiner: **Torimiro,  
Adetokunbo  
Olusegun**

For: **GAME BGM GENERATING METHOD AND  
GAME APPARATUS**

\* \* \* \* \*

February 18, 2010

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON EXAMINER'S STATEMENT  
OF REASONS FOR ALLOWANCE**

Sir:

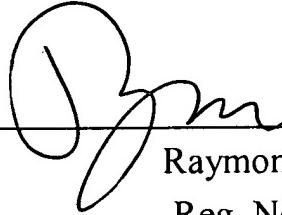
Applicant notes with appreciation the indication that this application is in condition for allowance. Applicant respectfully submits that the claims of the instant application define the invention therein and, as such, Applicant does not acquiesce to the additional interpretations of the claims and/or the specific reasoning asserted by the Examiner in the Statement of Reasons for Allowance accompanying the Notice of Allowance. For instance, Applicant notes that the Statement of Reasons for Allowance apparently paraphrases certain language of claim 1. This language is not a direct quotation of the features of claim 1, and it is not identically required by all of the independent claims that have been allowed.

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Applicant thus disagrees with the Examiner's Statement of Reasons for Allowance to the extent (if at all) that the Examiner's paraphrased language is inconsistent with the explicit language of the claims. In any event, Applicant agrees that this case is in condition for allowance and once again notes with appreciation this indication. The Examiner is invited to contact the undersigned if he should have any questions.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

By:



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